

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
EASTERN DIVISION

EDDIE OGLETREE, an individual,
GERALD STEPHENS, an individual,

Plaintiffs,

V.

CASE NO: 3:07-cv-867-WKW

CITY OF AUBURN, a municipality in
The State of Alabama; LARRY LANGLEY,
an individual; BILL HAM, JR., an individual;
STEVEN A. REEVES, an individual; BILL
JAMES, an individual; CHARLES M.
DUGGAN, an individual; and CORTEZ
LAWRENCE, an individual,

Defendants.

OPPOSITION TO MOTION TO CONSOLIDATE

COME NOW Defendants City of Auburn, Larry Langley, Bill Ham, Jr., Steven A. Reeves, Bill James and Charles M. Duggan and herewith submit their opposition to Plaintiffs' Motion to Consolidate this case with that action styled *Chris E. Turner v. City of Auburn, et al.*, Civil Action Number 3:07-cv-162-MEF. These Defendants aver the actions are dissimilar and the claims, parties and claims for damages are not the same. These Defendants further request an opportunity to respond further to Plaintiffs' Motion to Consolidate.

/s/ Randall Morgan

RANDALL MORGAN [MORG8350]
Attorney for Defendants City of
Auburn, Larry Langley, Bill Ham, Jr.,
Steven A. Reeves, Bill James and
Charles M. Duggan

OF COUNSEL:

**HILL, HILL, CARTER, FRANCO,
COLE & BLACK, P.C.**

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CERTIFICATE OF SERVICE

I hereby certify that on this the 23rd day of October, I have electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will send notification to the following via email:

Richard F. Horseley, Esq.
King, Horsley & Lyons, LLC
1 Metroplex, Suite 280
Birmingham, Alabama 35209

/s/ *Randall Morgan*

OF COUNSEL